

**INFORMATION
INTEGRITY
SOLUTIONS**



The More Things Change...

The Digital Age and How It Can Work For Us If We Try

Malcolm Crompton
Managing Director
Information Integrity Solutions
Identity Conference 2015
Wellington, 18 May

Open the pod bay doors HAL



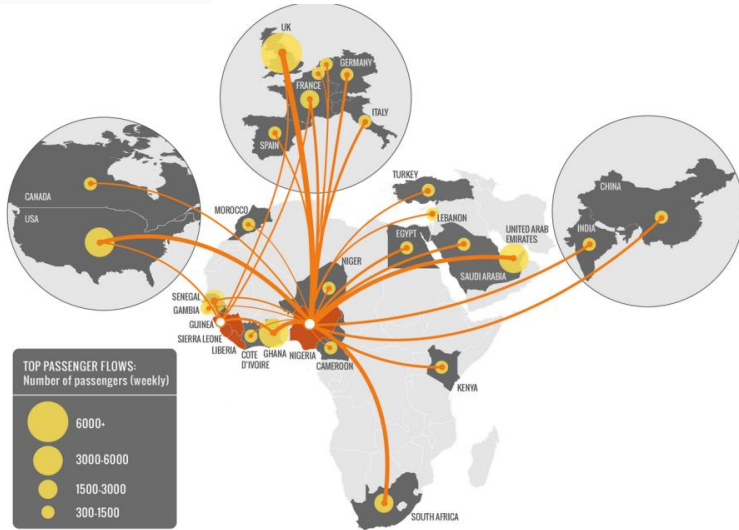
“Things are different now”



➤ Or are they?

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Data as asset



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Data as liability

That Sony Pictures Hack Exposed Budgets, Layoffs and 3,800 SSNs

Adam Clark Estes

567,628 6 ★

Target CEO resigns after data breach fallout

Gregg Steinhafel steps down in wake of a hack last December that exposed the personal details of as many as 110 million Target customers.

by Don Reisinger @donreisinger / 5 May 2014, 11:39 pm AEST

8 / f o / t o / in o / g+ / ... more +



Personal details of world leaders accidentally revealed by G20 organisers

Exclusive: Obama, Putin, Merkel, Cameron, Modi and others kept in the dark after passport numbers and other details were disclosed in Australia's accidental privacy breach

- Follow our full coverage of this exclusive story
- Read the immigration department's letter outlining the circumstances of the G20 privacy breach



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NZ: How times have changed

➤ A series of wakeup calls

Accident Compensation Corporation NZ slammed over data breach

NZ Privacy Commissioner says ACC displayed "an almost cavalier" attitude towards client information, recommends changes to storage of information
Hamish Barwick (Computerworld) | 27 August, 2012 13:48 | Co

New Zealand Earthquake Commission Acknowledges Data Breaches

have led to the shutdown of the EQC's Internet and e-mail

2012 'The year of the data breach' - Privacy Commissioner

NBR staff | Wednesday November 28, 2012 | 1 comment

The Privacy Commissioner has labelled 2012 the "year of the data breach."

"This year has been marked for us by major public sector data breaches. Notable were the ACC spreadsheet breach in March and MSD kiosk breach in October. These losses of data have highlighted the urgent need for far better security and respect by government agencies for New Zealanders' personal information," said Privacy Commissioner Marie Shroff as she released her Annual Report today.

"The public sector can't afford to be complacent. It's quite clear that agencies holding large amounts of personal information need to place



Blogger Keith Ng: exposed MSD security flaw

Related links

NZ ministry knew of massive data breach

By Juha Saarinen on Oct 15, 2012 12:18 PM
Filed under Security

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ie not to act after informant sought cash reward.

tions that members of the public could access confidential documents
osks installed at a New Zealand government welfare agency has blown
ational scandal, with data from multiple agencies, corporations and
leaked.

Privacy breaches at Inland Revenue

Home » News » Political

Mon, 29 Oct 2012

News: Politics | Inland Revenue

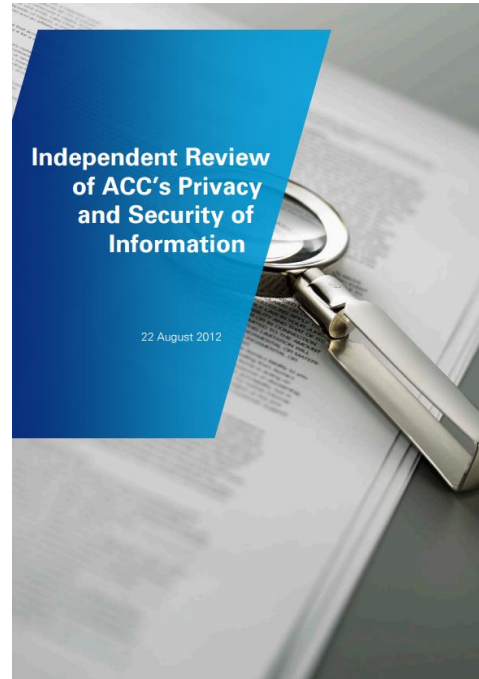
The Inland Revenue Department had 32 privacy breaches involving the personal information of 6300 people being sent to the wrong person in the past year.

Revenue Minister Peter Dunne said 638 people affected by the most serious breach had been contacted because details like their addresses and tax numbers had been released.

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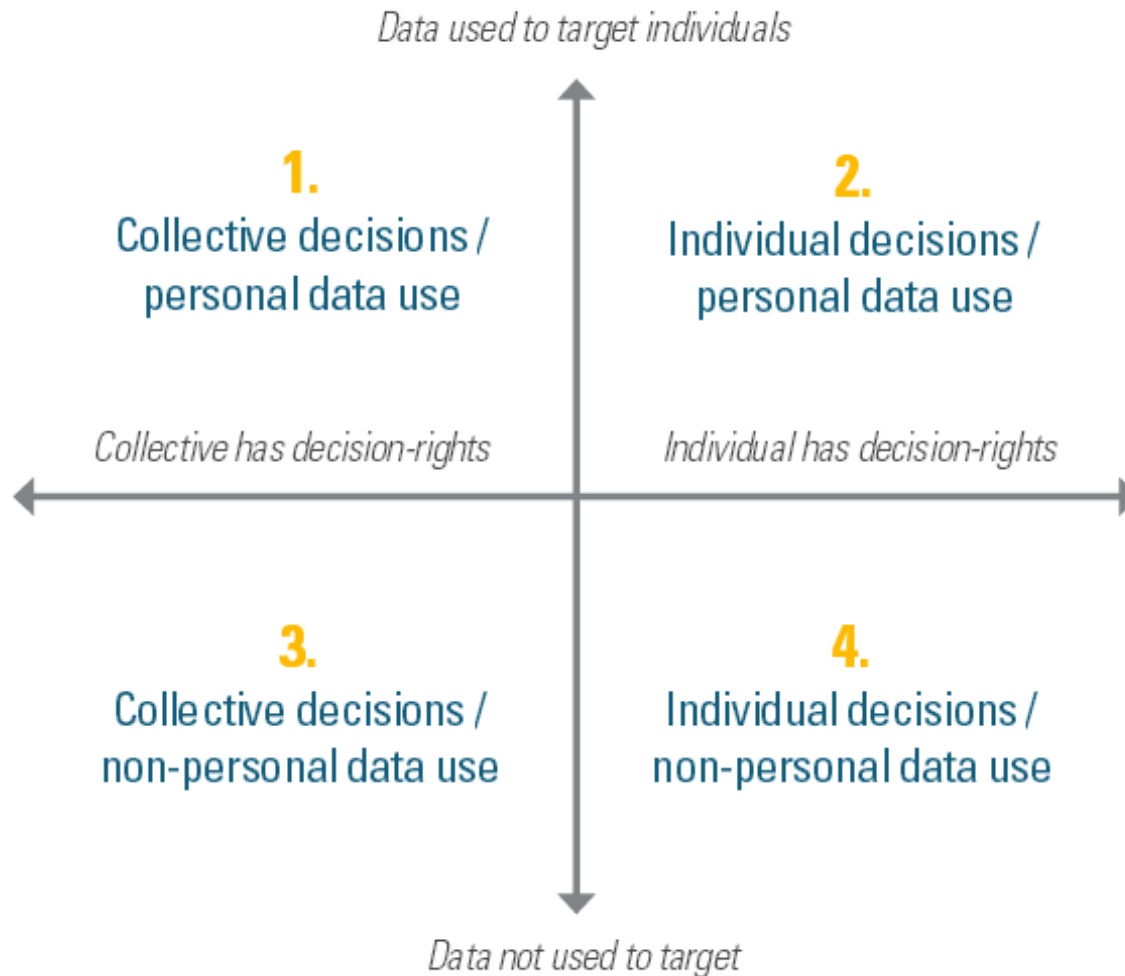
NZ: How times have changed

- ACC privacy overhaul
- Government Chief Privacy Officer
- Privacy law reform
- Data Futures Forum
 - Harnessing the power of data
 - 1. Value 2. Inclusion 3. Trust 4. Control



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Different data-use scenarios

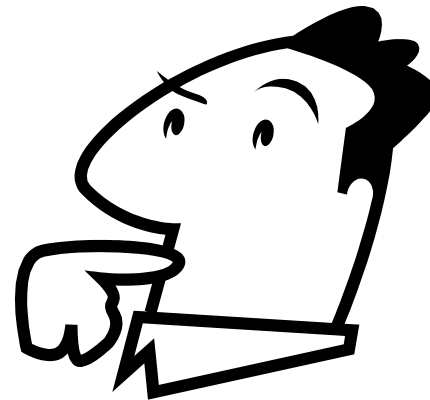


Source: NZ Data Futures Forum, [‘Harnessing the Economic and Social Power of Data’](#) (2014)

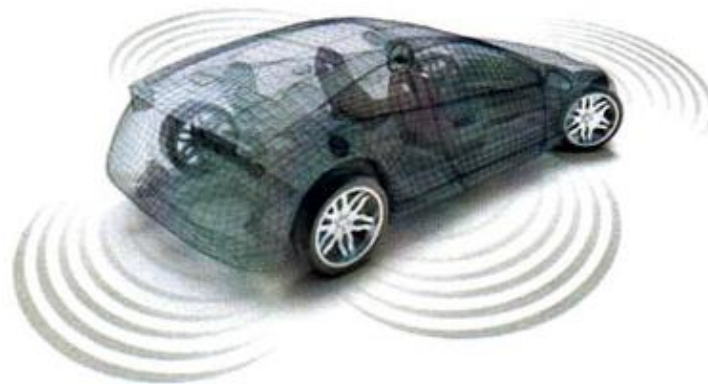
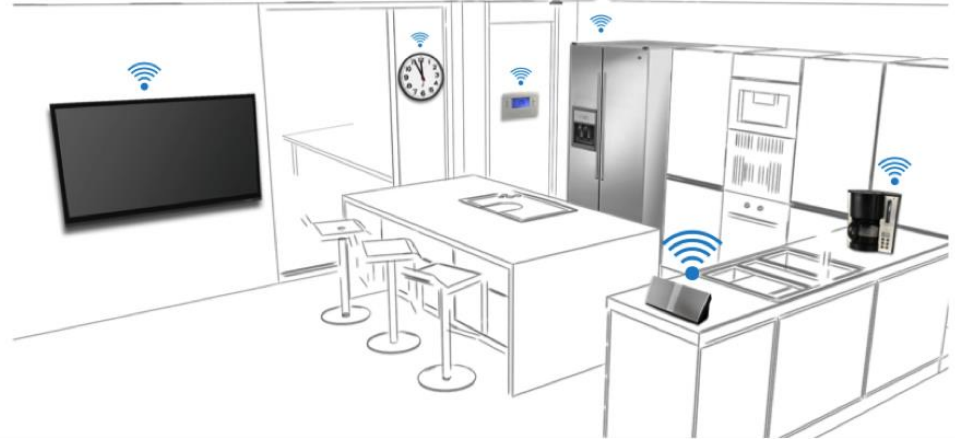
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Different data-use scenarios

- Applicability to private sector?
- Who decides, and who ensures decisions are followed?

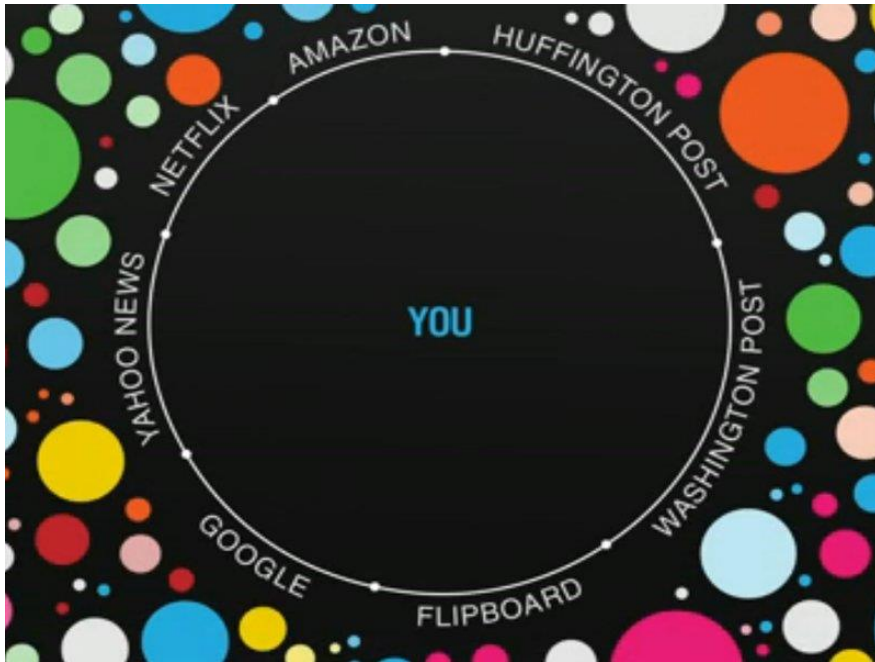


Where we're headed: IoT



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Where we're headed: Algorithms



The Surprising Ways that Social Media Can Be Used for Credit Scoring

Nov 05, 2014

Business Radio, Research

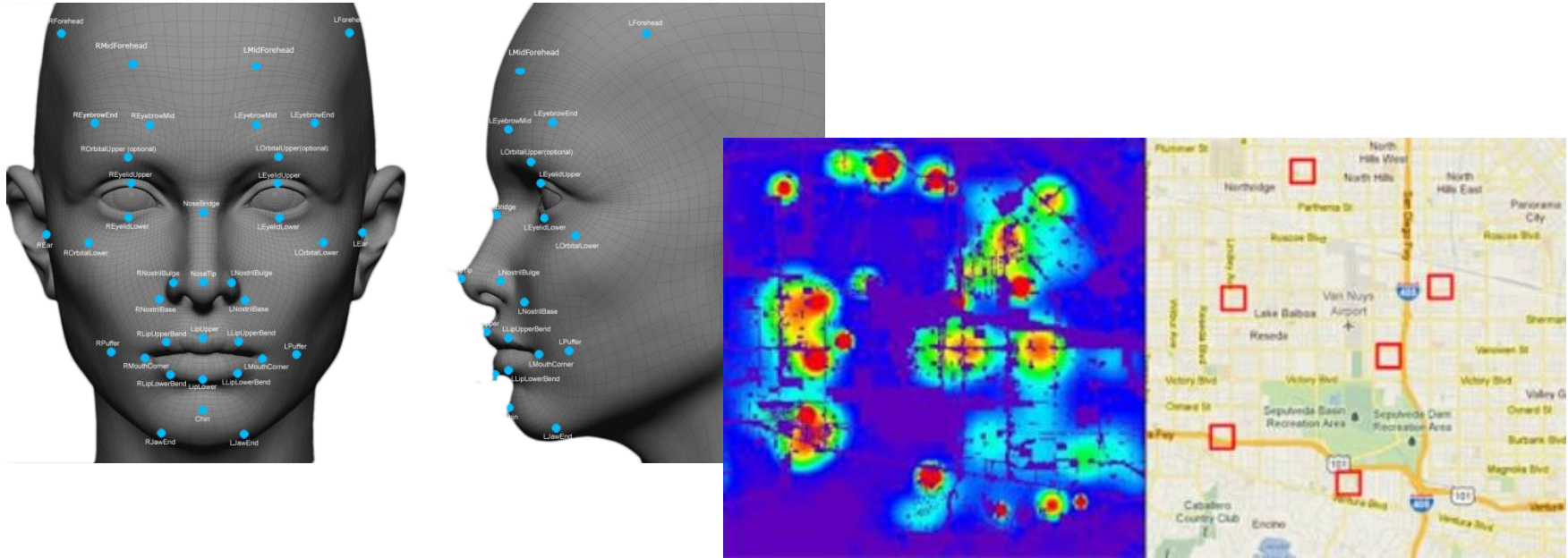
North America



- **Determining** what you see (and don't see), what you get (and don't get)

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Where we're headed: Algorithms



➤ Corporate and government **surveillance**

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Where we're headed: Algorithms



Giving Out Private Data for Discount in Insurance

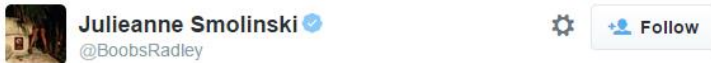
By TARA SIEGEL BERNARD APRIL 8, 2015



➤ **Manipulating** preferences and behaviour

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The dark side of algorithms



So my (beloved!) ex-boyfriend's apartment caught fire this year, which was very sad, but Facebook made it worth it.

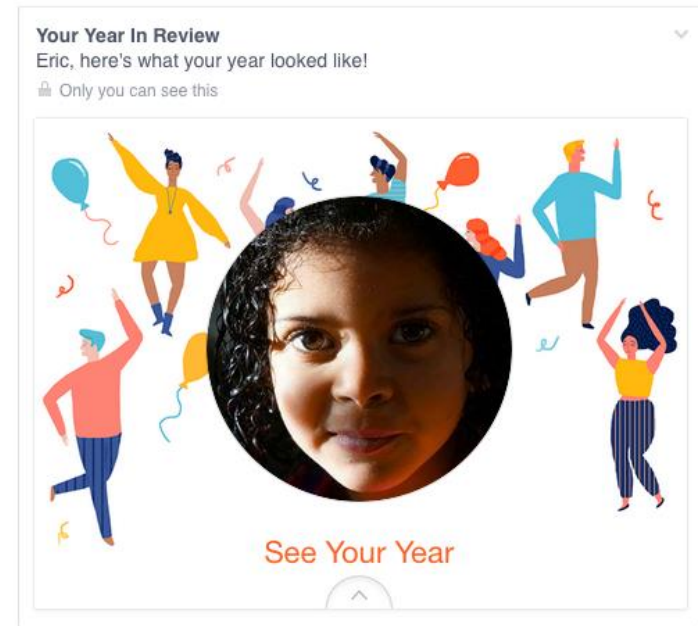


Inadvertent Algorithmic Cruelty

I didn't go looking for grief this afternoon, but it found me anyway, and I have designers and programmers to thank for it. In this case, the designers and programmers are somewhere at Facebook.

I know they're probably pretty proud of the work that went into the "Year in Review" app they designed and developed, and deservedly so—a lot of people have used it to share the highlights of their years. Knowing what kind of year I'd had, though, I avoided making one of my own. I kept seeing them pop up in my feed, created by others, almost all of them with the default caption, "It's been a great year! Thanks for being a part of it." Which was, by itself, jarring enough, the idea that any year I was part of could be described as great.

Still, they were easy enough to pass over, and I did. Until today, when I got this in my feed, exhorting me to create one of my own. "Eric, here's what your year looked like!"



A picture of my daughter, who is dead. [Who died this year.](#)

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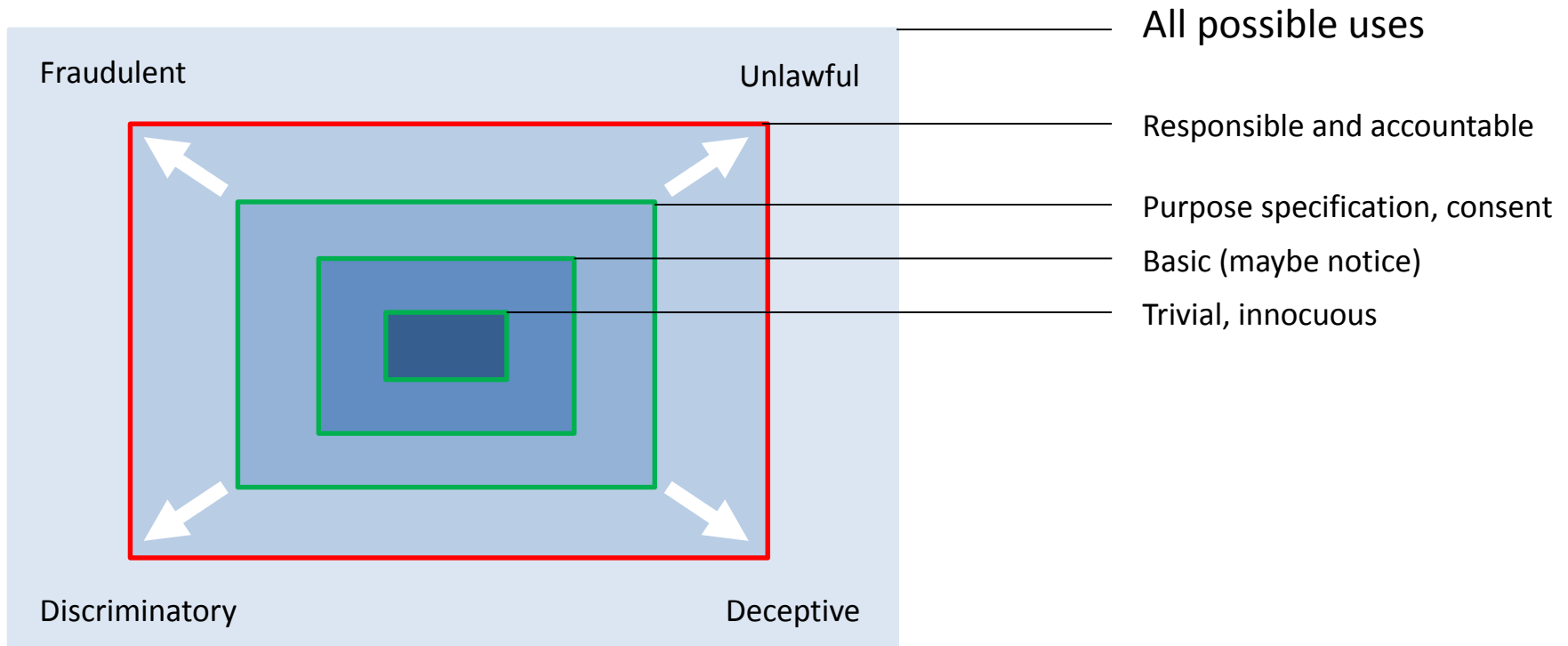
It's not all doom and gloom

- Ethical framework
- Accountability
- Law



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Ethical framework



- Credible decision-making processes and safeguards expand the scope of permissible uses
- Governance is key

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Accountability

- Revised OECD privacy guidelines (2013)
 - [New Part 3 on implementing accountability](#)
- APEC Cross Border Privacy Rules (ongoing)
 - Participating companies must adopt internal mechanisms for privacy protection
 - Certified by 'Accountability Agents'
- Centre for Information Policy Leadership (ongoing)
 - [Accountability-Based Privacy Governance](#)
- Information Accountability Foundation (2014)
 - [A Unified Ethical Frame for Big Data Analysis](#)



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(Not) a novel concept: applying the law

➤ Vidal-Hall v Google Inc [2015] EWCA Civ 311

- Reinforced broad definition of **personal information**
- Expanded concept of **harm**
- Taken together: *existing* EU law protects major aspects of an individual's life (subject to enforcement!)



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A sign of things to come?



- PI: more than just a name
 - EU Article 29 Working Party (2007)
 - US Federal Trade Commission (2012)
 - NSW Civil and Administrative Tribunal (2014)
 - AU Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015
 - Australian Privacy Commissioner determination on metadata (2015)
- Harm: more than pecuniary
- CIPL – [A risk-based approach to privacy](#)
- Outstanding customer service = plan for success AND failure, as customer defines it!
- Watch this space...

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ID management: the key to privacy

➤ Good privacy *depends* on good ID management:

- Risk management
- Trust
- Acceptable to BOTH parties
- Data minimisation
- Technology exists to do all this
- No need to reinvent the wheel!



ID management: the key to privacy

➤ The best frameworks:

- Only exchange relevant, verified attributes
- Avoid 'Digital God'

➤ Examples:

- New Zealand – [RealMe](#)
- [US NSTIC](#) – Developing an [Identity Ecosystem](#)
- [GOV.UK Verify](#) – Use of Identity Assurance Providers
- Australia – Building on [myGov](#)



Where there's a will...

- Privacy and identity can be done right if we really want it
- The elements are there, we have to:
 - Collaborate
 - Implement
 - Be accountable
 - Deliver outstanding customer service in ALL circumstances
 - Learn by our mistakes, FAST
 - Enforce the law

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Questions?

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